

UNITED STATES JUDICIAL PANEL
on
MULTIDISTRICT LITIGATION

CHAIRMAN:
Judge John G. Heyburn II
United States District Court
Western District of Kentucky

MEMBERS:
Judge D. Lowell Jensen
United States District Court
Northern District of California

Judge J. Frederick Motz
United States District Court
District of Maryland

Judge Robert L. Miller, Jr.
United States District Court
Northern District of Indiana

Judge Kathryn H. Vratil
United States District Court
District of Kansas

Judge David R. Hansen
United States Court of Appeals
Eighth Circuit

Judge Anthony J. Scirica
United States Court of Appeals
Third Circuit

DIRECT REPLY TO:

Jeffery N. Lüthi
Clerk of the Panel
One Columbus Circle, NE
Thurgood Marshall Federal
Judiciary Building
Room G-255, North Lobby
Washington, D.C. 20002

Telephone: [202] 502-2800
Fax: [202] 502-2888
<http://www.jpml.uscourts.gov>

May 12, 2008

Mary E. D'Andrea, Clerk
P.O. Box 983
Harrisburg, PA 17108-0983

FILED
HARRISBURG, PA

Re: MDL No. 1935 -- IN RE: Chocolate Confectionary Antitrust Litigation

MAY 14 2008

(See Attached CTO-2)

MARY E. D'ANDREA, CLERK
Per 

Dear Ms. D'Andrea:


I am enclosing a certified copy and one additional copy of a conditional transfer order filed by the Panel in the above-captioned matter on April 24, 2008. As stipulated in Rule 7.4(a) of the Rules of Procedure of the Judicial Panel on Multidistrict Litigation, 199 F.R.D. 425, 435-36 (2001), transmittal of the order has been stayed 15 days to give any party an opportunity to oppose the transfer. The 15-day period has now elapsed, no opposition was received, and the order is directed to you for filing.

The Panel's governing statute, 28 U.S.C. §1407, requires that the transferee clerk "...transmit a certified copy of the Panel's order to transfer to the clerk of the district court from which the action is being transferred."

A list of involved counsel is attached.

Very truly,

Jeffery N. Lüthi
Clerk of the Panel

By 
Mecca S. Thompson
Docket Specialist

Attachment

cc: Transferee Judge: Judge Christopher C. Conner
Transferor Judges: (See Attached List of Judges)
Transferor Clerks: (See Attached List of Clerks)

JPML Form 36

JUDICIAL PANEL ON
MULTIDISTRICT LITIGATION

APR 24 2008

FILED
CLERK'S OFFICEInasmuch as no objection is
pending at this time, the
stay is lifted.

MAY 12 2008

CLERK'S OFFICE
JUDICIAL PANEL ON
MULTIDISTRICT LITIGATIONUNITED STATES JUDICIAL PANEL
on
MULTIDISTRICT LITIGATIONIN RE: CHOCOLATE CONFECTIONARY
ANTITRUST LITIGATION

MDL No. 1935

(SEE ATTACHED SCHEDULE)

CONDITIONAL TRANSFER ORDER (CTO-2)

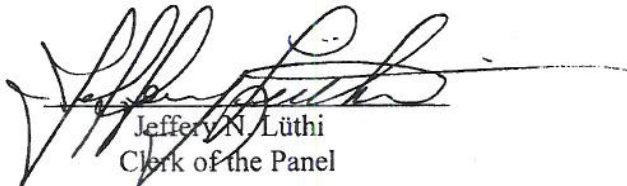
On April 7, 2008, the Panel transferred 15 civil actions to the United States District Court for the Middle District of Pennsylvania for coordinated or consolidated pretrial proceedings pursuant to 28 U.S.C. § 1407. *See* ___ F.Supp.2d ___ (J.P.M.L. 2008). With the consent of that court, all such actions have been assigned to the Honorable Christopher C. Conner.

It appears that the actions on this conditional transfer order involve questions of fact that are common to the actions previously transferred to the Middle District of Pennsylvania and assigned to Judge Conner.

Pursuant to Rule 7.4 of the Rules of Procedure of the Judicial Panel on Multidistrict Litigation, 199 F.R.D. 425, 435-36 (2001), these actions are transferred under 28 U.S.C. § 1407 to the Middle District of Pennsylvania for the reasons stated in the order of April 7, 2008, and, with the consent of that court, assigned to the Honorable Christopher C. Conner.

This order does not become effective until it is filed in the Office of the Clerk of the United States District Court for the Middle District of Pennsylvania. The transmittal of this order to said Clerk shall be stayed 15 days from the entry thereof. If any party files a notice of opposition with the Clerk of the Panel within this 15-day period, the stay will be continued until further order of the Panel.

FOR THE PANEL:


 Jeffery N. Lüthi
 Clerk of the Panel

A CERTIFIED TRUE COPY

MAY 14 2008

ATTEST
FOR THE JUDICIAL PANEL ON
MULTIDISTRICT LITIGATION

**IN RE: CHOCOLATE CONFECTIONARY
ANTITRUST LITIGATION**

MDL No. 1935

SCHEDULE CTO-2 - TAG-ALONG ACTIONS

DIST. DIV. C.A. #

CASE CAPTION

CALIFORNIA SOUTHERN

CAS 3 08-594

Karin Jacobs v. The Hershey Co., et al.

IOWA SOUTHERN

~~IAS 4 08-121~~

~~James Bell v. The Hershey Co., et al.~~ Opposed 5/9/08

ILLINOIS NORTHERN

ILN 1 08-1689

Cheryl Currie, et al. v. The Hershey Co., et al.

LOUISIANA EASTERN

LAE 2 08-1217

Long Leaf Vending, Inc. v. The Hershey Co., et al.

NEW JERSEY

NJ 2 08-1308

Carmen Pellitteri v. The Hershey Co., et al.

NJ 2 08-1324

T. Levy Associates, etc. v. The Hershey Co., et al.

NJ 2 08-1327

Dacia Lower v. The Hershey Co., et al.

NEW YORK SOUTHERN

NYS 1 08-3045

Food Lion, LLC, et al. v. Cadbury Adams Canada, Inc., et al.

PENNSYLVANIA EASTERN

PAE 2 08-1408

George Patterson v. The Hershey Co., et al.